

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Administration of the North American
Numbering Plan, Carrier
Identification Codes (CIC)

CC Docket No. 92-237

COMMENTS OF EXCEL COMMUNICATIONS, INC.

Excel Communications, Inc. ("Excel"), on behalf of its operating subsidiaries, by its undersigned counsel, hereby submits its comments in response to the Public Notice requesting comments on the issues raised in the Petition for Emergency Stay ("Petition") filed by MCI Telecommunications Corporation ("MCI") on August 12, 1998 in CC Docket No. 92-237.

In its Petition, MCI explains that it has been conducting field test calls of LEC implementation of four digit CIC codes and it has found a significant technical deficiency in the transition. MCI has found that in many instances in which three digit CICs are already blocked (notably in Bell Atlantic territory), customers are receiving several seconds of ringing before the caller hears the standard intercept message. Moreover, MCI notes that more than 56% of LEC end offices have yet to be converted to four digit CICs. MCI asks the Federal Communications Commission ("Commission") to: (1) direct Bell Atlantic to immediately halt its CIC transition while the Bureau takes no more than 10 days to determine if similar action is needed in each incumbent LEC territory; (2) direct all LECs to provide appropriate intercept announcements for access code calls placed using three-digit CICs; and (3) stay the September 1 deadline for blocking three-digit CICs and order LECs to immediately halt all blocking-related activity.

I. The Commission Should Grant MCI's Petition for Emergency Stay

Excel requests that the Commission grant MCI's Petition. Like MCI, Excel has been testing the CIC conversion and has discovered technical problems with the conversion. In addition to the technical issues MCI has noted, Excel has also found that in certain instances the caller dialing the seven-digit CAC is routed to the presubscribed interexchange carrier instead of the dial-around carrier. Excel is also concerned with the technical problems MCI has discovered and agrees with MCI that any prolonged ringing is unduly confusing to customers and threatens the integrity of dial-around calling. Indeed, such technical difficulties create significant problems for the interexchange carriers, because customers will believe that the problem lies with the interexchange carrier's service, not the LEC's service. MCI Petition, at 5.

As demonstrated in its Petition, MCI has conducted significant research on this issue. MCI's research alone is sufficient for the Commission to grant its Petition. The Commission should not risk the possibility of degradation of service and substantial customer confusion that is inherent in this current technical situation. Moreover, as MCI points out, more than half of the LEC end offices have not yet been converted to four-digit CICs, even though the deadline is less than two weeks away. *Id.*, at 4. Excel agrees with MCI's concern that this low percentage of completed transitions indicates that the delayed intercept announcement issue and other technical issues will become more problematic in the next several weeks as LECs attempt to convert more than half of their end offices.

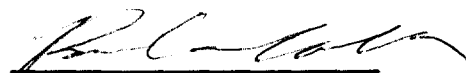
Accordingly, Excel urges the Commission to grant MCI's Petition, but requests that the Commission require carriers to continue to promote seven-digit CACs because of the massive resources many carriers have already spent for consumer education. As MCI aptly explains in its

Petition, the data MCI presented confirm that the standard for a stay has clearly been met. Most importantly, carriers including MCI and others are likely to suffer substantial harm without a stay, as the LECs' failure to properly provide intercept messages and route calls to the correct carrier will severely impact the ability of carriers to provide dial-around services. MCI is likely to win on the merits, because the LECs are not presently complying with the Commission's order to provide the intercept messages and are not providing a transparent transition to four-digit CICs. No other parties will be harmed by granting the stay and the stay would certainly serve the public interest in ensuring that the transition from three to four digit CICs occurs as smoothly as possible.

II Conclusion

The Commission should ensure that the transition from three to four digit CICs occurs in a manner that causes minimal customer confusion and service degradation. The evidence MCI submitted plainly suggests that there are currently serious technical problems related to the conversion. To protect the public interest and the carriers providing dial-around services, the Commission should grant MCI's Petition, but should require carriers to continue to promote seven-digit CACs.

Respectfully submitted,



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Dated: August 19, 1998

CERTIFICATE OF SERVICE

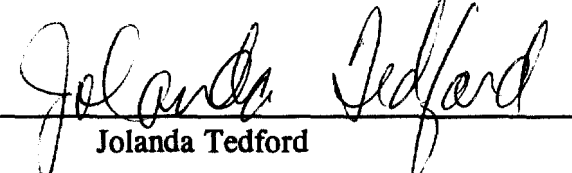
I, Jolanda Tedford, hereby certify that on this 19th day of August, 1998, a copy of the foregoing **COMMENTS OF EXCEL COMMUNICATIONS, INC.**, CC Docket No. 92-237, was served on each of the following parties via courier, or by first-class mail, postage prepaid (as denoted by asterisk):

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